

REMARKS

In accordance with the foregoing, claims 1, 4, 6, and 7 has been amended, and claims 5, 15, 17, and 19 have been cancelled without prejudice or disclaimer. Claims 1-4, 6-14, 16, 18, and 20 are pending and under consideration. No new matter is presented in this Amendment.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because it is believed that the amendments of claims 1, 4, 6, and 7 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTIONS UNDER 35 U.S.C. §102:

On pages 2-3 and 7-8 of the Office Action, the Examiner against rejects claim 19 under 35 U.S.C. §102(e) in view of Ichihara (U.S. Patent No. 6,396,792). The rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's interpretation of Ichihara, claim 19 has been cancelled without prejudice or disclaimer. As such, the rejection is deemed moot.

REJECTIONS UNDER 35 U.S.C. §103:

On pages 3-6 of the Office Action, the Examiner rejects claims 1-4, 6 and 17 under 35 U.S.C. §103(a) in view of Ohno et al. (U.S. Patent No. 5,150,351) and Ichihara. The rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, claim 1 has been amended to incorporate the features of objected-to claim 5. As such, it is respectfully submitted that claim 1-3 are patentable over the combination.

Additionally, claim 4 has been amended to generally incorporate the features of claim 17, but replacing the term "and/or" with "and". As such, claim 17 has been cancelled without prejudice or disclaimer, and the rejection of claim 17 is deemed moot.

Moreover, while the Examiner had rejected claim 17, consistent with the Examiner's statements on pages 8 and 9 of the Office Action, it is respectfully submitted that the combination does not disclose or suggest that "the cooling pulse has a cooling power less than a power of a last pulse of the recording pattern and the low power level of the leading pulse of the erase pattern" as recited in claim 4.

Claim 6 is deemed patentable due at least to its depending from claim 4.

On pages 6-7 of the Office Action, the Examiner rejects claims 7 and 8 under 35 U.S.C. §103(a) in view of Ohno et al., Ichihara, and Clark et al. (U.S. Patent No. 5,802,031). The rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's interpretations, claim 7 has been amended to incorporate the features of objected-to claim 15. As such, it is respectfully requested that the rejection of claim 7 be withdrawn.

Similarly, since claim 1 has been amended to incorporate the features of objected-to claim 5, it is respectfully submitted that the rejection of claim 8, which depends from claim 1, be withdrawn.

ALLOWABLE SUBJECT MATTER:

On pages 8-9 of the Office Action, the Examiner allows claim 20, and objects to claims 5, 9-16 and 18 as being dependent upon rejected base claims. Claims 5 and 15 have been cancelled without prejudice or disclaimer, and their features incorporated into independent claims 1 and 7.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Application No. 10/806,107

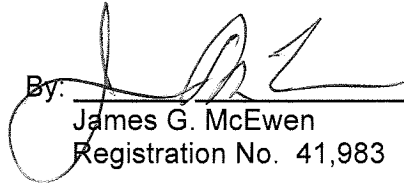
Docket No. 1293.1278C2

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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